

Jeffery J. Oven  
Mark L. Stermitz  
Jeffrey M. Roth  
CROWLEY FLECK PLLP  
490 North 31st Street, Ste. 500  
P.O. Box 2529  
Billings, MT 59103-2529  
Telephone: 406-252-3441  
Email: joven@crowleyfleck.com  
mstermitz@crowleyfleck.com  
jroth@crowleyfleck.com

Peter R. Steenland  
Lauren C. Freeman  
SIDLEY AUSTIN LLP  
1501 K Street, NW  
Washington, DC 20005  
Telephone: 202-736-8000  
Email: psteenland@sidley.com  
lfreeman@sidley.com

*Counsel for TransCanada Keystone Pipeline, LP  
and TransCanada Corporation*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

NORTHERN PLAINS RESOURCE  
COUNCIL, BOLD ALLIANCE, CENTER  
FOR BIOLOGICAL DIVERSITY,  
FRIENDS OF THE EARTH, NATURAL  
RESOURCES DEFENSE COUNCIL,  
INC., and SIERRA CLUB,

Plaintiffs,

vs.

THOMAS A. SHANNON, JR., in his  
Official Capacity as Under Secretary of  
State for Political Affairs, UNITED  
STATES DEPARTMENT OF STATE,  
RYAN ZINKE, in his official  
Capacity as Secretary of the Interior;  
UNITED STATES DEPARTMENT OF  
THE INTERIOR; and BUREAU OF  
LAND MANAGEMENT,

CV 17-31-GF-BMM

**TRANSCANADA'S  
STATEMENT OF POSITION**

Defendants,  
and  
TRANSCANADA KEYSTONE  
PIPELINE, LP and TRANSCANADA  
CORPORATION,  
  
Defendant-Intervenors.

---

In response to the Court's order of August 30, 2017 regarding consolidation of *Indigenous Environmental Network, et al., v. United States Department of State, et al.* (4:17-cv-00029-BMM) and *Northern Plains Research Council et al. v. Shannon, et al.* (4:17-cv00031-BMM), TransCanada as Intervenor states that it has no objection to the consolidation of the two cases.

Dated this 18th day of September, 2017.

CROWLEY FLECK PLLP

By /s/ Jeffery J. Oven  
Jeffery J. Oven  
Mark L. Stermitz  
Jeffrey M. Roth  
490 North 31st Street, Ste 500  
P.O. Box 2529  
Billings, MT 59103-2529  
*Counsel for TransCanada Keystone Pipeline, LP  
and TransCanada Corporation*

SIDLEY AUSTIN LLP

By /s/ Peter R. Steenland, Jr.  
Peter R. Steenland, Jr.

Lauren C. Freeman  
1501 K Street, N.W.  
Washington, D.C. 20005  
*Counsel for TransCanada Keystone Pipeline, LP  
and TransCanada Corporation*

## **CERTIFICATE OF COMPLIANCE**

Pursuant to the Court's Order, I certify that this statement contains 55 words, excluding caption and certificates of service and compliance, printed in at least 14 points and is double spaced, including for footnotes and indented quotations.

DATED this 18th day of September, 2017.

By /s/ Jeffery J. Oven

## CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon the following counsel of record, by the means designated below, this 18th day of September, 2017:

<u>1 - 9</u>	CM/ECF
_____	Hand Delivered
_____	Mail
_____	Overnight Delivery Service
_____	Fax
_____	E-mail

1. Clerk of U.S. District Court
2. Cecilia D. Segal  
NATURAL RESOURCES DEFENSE COUNCIL - San Francisco  
111 Sutter Street, Floor 21  
San Francisco, CA 94104  
*Attorneys for Northern Plains Resource Council, Bold Alliance, Center for Biological Diversity, Friends of the Earth, Natural Resources Defense Council, Sierra Club*
3. Selena Kyle  
NATURAL RESOURCES DEFENSE COUNCIL - Chicago  
20 North Wacker Drive, Suite 1600  
Chicago, IL 60606  
*Attorneys for Northern Plains Resource Council, Bold Alliance, Center for Biological Diversity, Friends of the Earth, Natural Resources Defense Council*
4. Timothy M. Bechtold  
BECHTOLD LAW FIRM  
PO Box 7051  
Missoula, MT 59807-7051  
*Attorneys for Northern Plains Resource Council, Bold Alliance, Center for Biological Diversity, Friends of the Earth, Natural Resources Defense Council, Sierra Club*

5. Amy R. Atwood  
CENTER FOR BIOLOGICAL DIVERSITY - PORTLAND  
PO Box 11374  
Portland, OR 97211-0374  
*Attorneys for Bold Alliance, Center for Biological Diversity, Friends of the Earth, Natural Resources Defense Council, Sierra Club*
6. Douglas P. Hayes  
SIERRA CLUB  
1650 38th Street  
Suite 102W  
Boulder, CO 80301  
*Attorneys for Sierra Club*
7. Eric E. Huber  
SIERRA CLUB  
Environmental Law Program  
1650 38th St.  
Suite 102W  
Boulder, CO 80301  
*Attorneys for Sierra Club*
8. Luther L. Hajek  
U.S. DEPARTMENT OF JUSTICE - DENVER  
South Terrace, Suite 370  
999 18th Street  
Denver, CO 80202  
*Attorneys for Thomas A. Shannon, Jr., US Department of State, Ryan Zinke, US Department of the Interior and Bureau of Land Management*
9. Mark Steger Smith  
U.S. ATTORNEY'S OFFICE - BILLINGS  
2601 Second Avenue North  
Suite 3200  
Billings, MT 59101  
*Attorneys for Thomas A. Shannon, Jr., US Department of State, Ryan Zinke, US Department of the Interior and Bureau of Land Management*

By /s/ Jeffery J. Oven